



UNITED STATES  
**SECURITIES AND EXCHANGE COMMISSION**  
NEW YORK REGIONAL OFFICE  
3 WORLD FINANCIAL CENTER, SUITE 400  
NEW YORK, NY 10281

November 28, 2017

**VIA ECF**

Hon. Valerie E. Caproni  
United States District Judge  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**Re: SEC v. Davis, et al., (14-CV-1528) (VEC) (S.D.N.Y.)**

Dear Judge Caproni:

Plaintiff Securities & Exchange Commission (“Commission”) writes this letter in response to the November 27, 2017 letter by counsel for Defendant DiCarmine. While the Commission advised counsel that it would not object to an adjournment if none of DiCarmine’s counsel could attend the scheduled conference, it did not agree to any open-ended adjournment. The Commission informed DiCarmine’s counsel that it would not object as long as counsel suggested a date certain as a substitute for this week’s conference (and had even suggested December 15, 2017, since the undersigned has a status conference on another matter before this Court on that date). We had expected counsel to confirm with the other parties that they would be available on December 15, 2017, or suggest an alternate date, prior to requesting the adjournment.

Please feel free to contact us if you have any questions or need additional information.

Sincerely,

s/ Howard Fischer  
Howard Fischer  
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Securities & Exchange Commission  
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